

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, March 7, 2011

Those Present: Mr. James E. McClellan, Chairman
Mr. Robert C. Snyder, Board Member
Mr. Charles R. Cline, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Ms. Kathy L. Vahle, Administrator
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Sandra Rees, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 am by Chairman McClellan.

1. **Silver Maple Restaurant** – Ms. Vahle stated that this establishment requested approval for an outside area. The Use & Occupancy permit, Fire Marshal and Health Department are still pending. The Liquor Inspector has approved it. The Board approved the request once they have met all the requirements.
2. **Lallo's Pizza** – Ms. Vahle received a request from this establishment to have DJ entertainment for a couple of functions. The Zoning has been approved. Mr. Snyder stated that if there are any complaints they will be addressed. The Board approved the request.
3. **House Bill 1313** – This is a Bill pertaining to Class A establishments. The Delegation is requesting that these establishments close at 11PM on Sundays. This Bill was introduced by Delegate Myers of Alleghany and Washington counties as a statewide bill.
4. **Budget Deficit** – Ms. Vahle stated that the Budget Office is getting ready to submit the Budget to the County Commissioners so they did not have a chance to prepare the information requested by the Board.
5. **Matsutake** – Ms. Vahle stated that a transfer hearing is being held late is because she was told the paperwork was still pending but did not check it herself. Mrs. Thall stated this will need to be retroactive to February 28, 2011, if approved by the Board.

6. **Processing Fees** – Mrs. Thall stated that she had sent Ms. Vahle some suggestions of language which would amend the regulations, but in order to do that the Board will need to vote to take this to a Public Hearing. The proposed fees are: \$300 processing fee for new applications and transfers. At renewal time there will be a \$50 processing fee. The Board approved taking the proposals to a Public Hearing. Ms. Vahle will have to find the funds to advertise this proposal.
7. **Violation Hearings** – Mrs. Thall stated that there is a list of 25 cases that are pending, she suggested scheduling three violations for each Monday hearing and would like to propose a deadline for hearing violations. The Board requested that the violations be heard as soon as possible.
8. Decision Required: Transfer

RE: Kyoung Y. Lee and Bryan E. Bentz
for the use of
Matsutake Japanese Restaurant, Inc.
t/a Matsutake Sushi & Steak
5225 Buckeystown Pike
Frederick, MD 21703
Class B, On Sale, Beer, Wine & Liquor

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are Zoning, Occupancy Permit, Bulk Transfer Permit, and fingerprints for Bryan Bentz. Mr. Horman the Attorney stated that the Fire Marshal and Health Department have been approved. He is waiting for Occupancy Permit and the Bulk Transfer was submitted to the Comptroller's Office. The Inspector stated that they are compliant.

MOTION ONE: Mr. Cline made a motion for a conditional approval for March 21, 2011.

MOTION TWO: Mr. Snyder made a motion for approval of the license retroactive to February 28, 2011. The conditional approval will be until March 21, 2011.

SECOND: Mr. Cline seconded Mr. Snyder's motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

9. Decision Required: Approval of the Public Meeting Minutes for February 14, 2011 and February 28, 2011.

The Public Meeting Minutes of February 14, 2011 and February 28, 2011 were approved.

MOTION: Mr. Snyder made a motion to approve the minutes for February 14, 2011 and February 28, 2011.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline-Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

ADJOURN

The meeting was adjourned at 9:13 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees